

Seaman, Katherine

From: Musante, John
Sent: Thursday, April 09, 2009 10:22 AM
To: McGinnis, Claire; Kent, Mike R.; Scherpa, Charles; Shaffer, Larry
Cc: Seaman, Katherine
Subject: RE: Fine Raised For Drivers Parked In Bus Stops

Attachments: bus stop violation 4.7.09.doc



bus stop violation
4.7.09.doc ...

This is a town enforcement issue. The next step is for the SB to approve an increase to the fine from \$50 to \$100 to comport with the new state law (attached). Larry, this should be added to an upcoming SB agenda. We can also give the Parking Task Force a heads up next Friday 4/17.

-----Original Message-----

From: McGinnis, Claire
Sent: Tuesday, April 07, 2009 12:09 PM
To: Musante, John
Cc: Kent, Mike R.; Scherpa, Charles
Subject: RE: Fine Raised For Drivers Parked In MBTA Stops - Boston News Story - WCVB Boston

John, Charlie and Mike:

I found the new language on the state law website, curious to see if it was MBTA specific or all bus stops in the state. It is all of them, so we have to deal with this.

We could wait and see if UMass Transit or PVRTA take the lead, or we can take the new fee to the SelectBoard at the next meeting on our own. The fix in MUNIS/AutoCite is easy to implement.

We issued only 12 of these in the last calendar year. Our fine is \$50, as it has been since the full slate was revised 8/1/2005.

Claire

-----Original Message-----

From: Musante, John
Sent: Tuesday, April 07, 2009 9:05 AM
To: McGinnis, Claire
Cc: Kent, Mike R.; Scherpa, Charles
Subject: Fine Raised For Drivers Parked In MBTA Stops - Boston News Story - WCVB Boston

<http://www.thebostonchannel.com/news/19095893/detail.html>

Charlie called me this morning because he heard something on the news about a new state law mandating \$100 fines for parking illegally at bus stops. I found the attached link. Can you confirm this and make sure we do what we need to do? What is our current fine? We should let Larry know so a little PR/community education can occur at a SB meeting and on the website.

[Fifth paragraph as amended by 2008, 465, Sec. 1 effective April 7, 2009. For text effective until April 7, 2009, see above.]

Any person notified to appear before the parking clerk, as provided herein, may appear before such parking clerk or his designee and confess the offense charged, either personally or through an agent duly authorized in writing or by mailing to such parking clerk the notice and the fine provided herein, such payment to be made only by postal note, money order or check made out to the parking clerk. If it is the first violation subject to this section committed by such person in a particular city or town in the calendar year, the parking clerk shall dismiss the charge without the payment of any fine; if it is the second, third or fourth violation so committed in such city or town in the calendar year, payment to the parking clerk of a fine of five dollars for each such violation shall operate as a final disposition of the case; and if it is the fifth or subsequent violation so committed in such city or town in the calendar year, payment to the parking clerk of a fine of ten dollars for each such violation shall operate as a final disposition of the case; provided, however, that the provisions of this sentence shall not apply to any violation subject to this section committed in any city or town wherein the city council or board of aldermen, town council, board of selectmen, or traffic commission or traffic director having authority to promulgate traffic rules shall have established by municipal rule, regulation, ordinance or by-law a schedule of fines for such violations. The schedule of fines shall be uniform for the same offense committed in the same zone or district, if any, and shall not exceed \$25 if paid within 21 days, \$35 if paid thereafter but before the parking clerk reports to the registrar as provided below, and \$50 if paid thereafter; provided, however, that the fine for the violation of parking a motor vehicle within a posted bus stop shall be \$100. Notice affixed to a motor vehicle as provided in this section shall be deemed a sufficient notice, and a certificate of the officer affixing such notice that it has been affixed thereto, in accordance with this section, shall be deemed prima facie evidence thereof and shall be admissible in any judicial or administrative proceeding as to the facts contained therein. Whenever it becomes necessary to ascertain whether a person owning two or more motor vehicles is chargeable as such owner with a first, second, third, fourth, fifth or subsequent violation hereunder, such question shall, in the case of vehicles singly registered, be determined separately with respect to the particular vehicle involved in such violation and, in the case of vehicles subject to section five, with respect to the particular number plate or plates used on the vehicle involved in such violation at the time thereof.

Amendments to Chapter 90, section 20A, which deals with parking tickets, appeals and penalties.